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FILE: WAC 04 213 51216 Office: CALIFORNIA SERVICE CENTER Date: MAY 18 2005

IN RE: Petitioner: [Redacted]  
Beneficiary: [Redacted]

PETITION: Nonimmigrant Petition for Religious Worker Pursuant to Section 101(a)(15)(R)(1) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(R)(1)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The Director, California Service Center, denied the nonimmigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

When the director denied the petition, the director correctly indicated that the regulations make no provision to allow the petitioner to appeal the denial of an R-1 nonimmigrant visa petition.

Because there is no provision to allow the petitioner to appeal the director's decision, and because the regulations grant the AAO no regulatory authority to review such an appeal, the appeal cannot be accepted, and therefore must be rejected.

Some of counsel's comments refer to the filing as a motion to reopen or reconsider, despite its submission on Form I-290B which is exclusively for appeals. Pursuant to 8 C.F.R. § 103.5(a)(1)(ii), jurisdiction over motions lies with the office that rendered the decision that is the subject of the motion, in this case the California Service Center.

**ORDER:** The appeal is rejected.